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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE APPLICATION :	
FOR LICENSURE OF :	Administrative Action
MARTHA N. POPE :	
TO PRACTICE NURSING :	CONSENT ORDER
IN THE STATE OF NEW JERSEY :	
:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of Martha N. Pope's application for licensure by endorsement as a Registered Professional Nurse, including a certification and authorization form for a criminal history background check, dated February 11, 2013. Upon review of the results of the criminal history background check, the Board ascertained that the applicant was arrested on September 1, 1988 by members of the Police Department of the Village of Hamilton, New York and charged with Petit Larceny, equivalent to a violation of N.J.S.A. 2C:20-3 (Theft by Unlawful Taking). The

disposition was unavailable.

The applicant failed to disclose this arrest on her application for licensure, answering "No" to question 14 on the license application which asked if she had ever been arrested, and answering "No" to question 6 on the certification/authorization form for a criminal history background check which asked whether she had ever been arrested and/or convicted.

After the Board contacted the applicant with the results of the criminal history background check, she responded by letter explaining that she checked "No" on the application because the case was closed twenty-five years ago and she believed that the case was no longer on her record. The applicant maintained that the arrest had never appeared on any of the criminal history background checks that she had undergone over the past twenty years as part of her licensure in another state and multiple job applications. The applicant nonetheless acknowledged the arrest and explained that as a teenage nursing student, she shoplifted a pair of cheap sunglasses while out with a group of friends. The applicant expressed remorse and indicated that the matter was dismissed after she completed 100 hours of community service.

Illage Court provided a letter stating that no records are

available pertaining to the applicant's arrest.

The Board finds that the applicant used dishonesty, deception, or misrepresentation in not disclosing her arrest on her application form and criminal history background check, which constitutes a violation of N.J.S.A. 45:1-21(b).

The Board having reviewed this matter, and having considered the nature of the above conduct, and the parties desiring to resolve this matter, and the Board having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

IT IS on this 18<sup>th</sup> day of Nov., 2013

HEREBY ORDERED AND AGREED that:

1. Martha N. Pope's application for licensure by endorsement as a Registered Professional Nurse shall be granted.

2. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon the applicant for failing to disclose her arrest on her application and certification/authorization for a criminal history background check. Payment shall be in the form of a certified check or money order made payable to the "State of New Jersey," and shall be submitted contemporaneously with this signed Order.

3. The applicant shall obey all the laws of the State of

New Jersey, the United States and their political subdivisions,  
as well as all regulations, rules or laws pertaining to the  
practice of nursing in any State or jurisdiction in which she  
practices nursing.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy, PhD, APRN, FAAN  
Patricia Murphy, PhD, APN  
Board President

I have read and understand  
the within Consent Order  
and agree to be bound by  
its terms.

Martha N. Pope  
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